



U.S. Department of Justice

United States Attorney  
Southern District of New York

MEMO ENDORSED

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

December 20, 2021

USDS SDNY  
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**BY ECF**

The Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *United States v. Gatto et al.*, 17 Cr. 686 (LAK)

Dear Judge Kaplan:

The Government writes to request that the Court set the following surrender dates for the defendants to begin serving their sentences, in light of the Supreme Court's denial of the defendants' petition for a writ of certiorari in this case and the issuance of the mandate from the Second Circuit. (See Dkt. No. 353.)

- James Gatto: Surrender Date of February 18, 2022
- Merl Code: Surrender Date of February 18, 2022
- Christian Dawkins: Surrender Date of March 1, 2022

The defendants, through their respective defense counsel, consent to these surrender dates, which will permit the Bureau of Prisons to assign the defendants a facility to serve their sentence and permit the defendants time to get their affairs in order.

Approved. Compliance  
shall be an additional bail  
condition.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

SO ORDERED  
USDS  
12/21/21

By:

/s/ Eli J. Mark  
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cc: Defense counsel (by ECF)